

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TYRONE HURT,

Plaintiff,

v.

BAILEY REALTOR INC. LLC,

Defendant.

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No. 4:20-CV-99 NAB

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's second motion to proceed *in forma pauperis* on appeal filed with this Court. ECF No. 20. On February 24, 2020, this Court found that plaintiff's appeal of its January 28, 2020, dismissal of this matter was not taken in good faith. 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3)(A). As such, the Court denied plaintiff's first motion to proceed *in forma pauperis* on appeal. ECF No. 11. Subsequently, plaintiff filed a motion to proceed *in forma pauperis* on appeal with the Eighth Circuit Court of Appeals, which the appellate court ordered to be taken with the case for consideration by the panel to which the case is submitted for disposition on the merits. *See* ECF No. 16. Because plaintiff currently has a motion to proceed *in forma pauperis* on appeal pending before the Eighth Circuit, the motion here will be denied as moot.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed *in forma pauperis* on appeal [ECF No. 20] is **DENIED as moot**.

Dated this 8th day of June, 2020.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE